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Attorneys for Defendant Cody and Debby Easterday

IN THE UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF WASHINGTON

In re)	Lead Case No. 21-00141-11 (WLH)
)	Jointly Administered
EASTERDAY RANCHES, INC., et al.,)	
)	
Debtor(s). ¹)	
)	
)	
)	Adversary
WASHINGTON TRUST BANK, a Washington)	Proceeding No. 21-80010-WLH
banking corporation,)	
)	
Plaintiff,)	JOINT MOTION TO ENLARGE TIME TO
)	FILE ANSWER
v.)	
)	
EASTERDAY RANCHES, INC., a Washington)	
corporation; EASTERDAY FARMS, a)	
Washington general partnership; CODY)	
EASTERDAY, individually; DEBBY)	
EASTERDAY, individually; KAREN)	
EASTERDAY, individually and in her capacity as)	
personal representative of the Estate of Gale)	
Easterday,)	
)	
Defendant(s).)	
)	

¹ The Debtors along with their case numbers are as follows: Easterday Ranches, Inc. (21-00141) and Easterday Farms, a Washington general Partnership (21-00176).

1 Pursuant to FRBP 9006(b)(1), defendants Cody Easterday, Debby Easterday, and Karen
2 Easterday (“Moving Defendants”), through their respective counsel, hereby jointly move the court
3 for an extension of time to file their Answer in this adversary proceeding. Pursuant to FRBP
4 9027(g), Moving Defendants’ Answer would be due on April 19, 2021. Moving Defendants request
5 that the Court extend the Answer deadline to May 3, 2021, because good cause exists based on the
6 reasons described in this Motion.

7 Moving Defendants have conferred with counsel for Washington Trust Bank (“Washington
8 Trust”) regarding the relief requested in this Motion. Washington Trust consents to the relief
9 requested, subject to its reservation of rights to seek remand.

10 Washington Trust filed its lawsuit against Easterday Ranches, Inc., Easterday Farms, Cody
11 Easterday, Debby Easterday, and Karen Easterday in Franklin County Superior Court on February
12 1, 2021 (“State Court Action”). Later on February 1, 2021, Easterday Ranches, Inc. filed its
13 voluntary petition for relief under Chapter 11 of the Bankruptcy Code in Case No. 21-00141-11
14 (WLH). On February 8, 2021, Easterday Farms filed its voluntary petition for relief under Chapter
15 11 of the Bankruptcy Code in Case No. 21 -00176-11 (WLH). The two bankruptcy proceedings
16 are being jointly administered.

17 Moving Defendants filed Notices of Appearance in the State Court Action. On or about
18 March 26, 2021, Washington Trust filed notice of a hearing, scheduled for April 26, 2021, on a
19 motion to default the Moving Defendants in the State Court Action. Under Washington Court Rule
20 55(a)(2), “If the party has appeared before the motion is filed, the party may respond to the
21 pleading or otherwise defend at any time before the hearing on the motion.” Because Moving
22 Defendants appeared in the State Court Action, their deadline to respond to Washington Trust’s
23 Complaint was prior to the April 26, 2021 hearing. None of the Moving Defendants, however,
24 have yet filed an Answer.

25

26

1 On April 12, 2021, the State Court Action was removed to this Court. Pursuant to FRBP
2 9027(g), as a result of the removal, Moving Defendants' deadline to file a response to Washington
3 Trust's Complaint is seven days after removal, i.e., April 19, 2021.

4 On April 26, 2021, this Court will hold a hearing on whether to approve the Cooperation
5 Agreement negotiated among several parties, including Washington Trust. If that Cooperation
6 Agreement is approved, then this adversary proceeding will be stayed, and Moving Defendants
7 will not need to file an Answer pending the performance of the Cooperation Agreement. If that
8 Cooperation Agreement is rejected, then Moving Defendants seek seven days from the date of the
9 hearing, i.e., until May 3, 2021, to file their Answer.

10 Based on the foregoing reasons, Moving Defendants believe that good cause exists to
11 extend their Answer deadline from April 19, 2021 to May 3, 2021.

12 Dated this 19th day of April, 2021.

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